

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK (FOLEY SQUARE)

IN RE: )  
 ) VIA ECF  
PFIZER ERISA LITIGATION, )  
 ) No. 04-cv-10071-RO  
 )  
 )  
\_\_\_\_\_ )

**DECLARATION OF LYNN LINCOLN SARKO**

I, LYNN LINCOLN SARKO, declare as follows:

1. I am the managing partner at the law firm of Keller Rohrback L.L.P., Lead ERISA Counsel for Plaintiffs in the above-entitled action. I submit this declaration in support of Plaintiffs' Opposition to Defendants' Motion to Dismiss the Consolidated Class Action Complaint. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. Attached hereto as Exhibit A is a true and correct listing of judicial opinions recognizing the legitimacy of ERISA claims concerning the imprudence of plan investments in company stock funds.

3. Attached hereto as Exhibit B is a true and correct copy of the Order Denying Motions to Dismiss in *In re AIG ERISA Litig.*, No. 04-9387 (S.D.N.Y. Dec. 13, 2006).

4. Attached hereto as Exhibit C is a true and correct copy of a list of recent DOL amicus briefs cited in Plaintiffs' Opposition to Defendants' Motion to Dismiss the Consolidated Class Action Complaint. DOL Amicus briefs that are not available on the DOL's website, [www.dol.gov](http://www.dol.gov), are submitted as additional exhibits hereto.

5. Attached hereto as Exhibit D is a true and correct copy of a chart describing the specific fiduciary duties that the Defendants within each category are alleged to have breached.

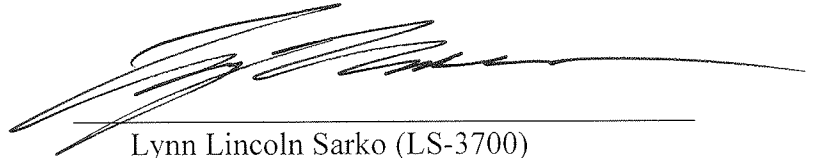
6. Attached hereto as Exhibit E is a true and correct copy of the DOL Amicus Brief in *In re Calpine Corp. ERISA Litig.*, No. 06-15013 (9th Cir. Nov. 15, 2006).

7. Attached hereto as Exhibit F is a true and correct copy of the DOL Amicus Brief in *Bridges v. American Electric Power Company, Inc.*, No. 06-4100 (6th Cir. Oct. 19, 2006).

8. Attached hereto as Exhibit G is a true and correct copy of the DOL Amicus Brief in *Holtzschler v. Dynegy, Inc.*, No. 06-20297 (5th Cir. June 28, 2006).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: December 20, 2006.

A handwritten signature in black ink, appearing to read 'Lynn Lincoln Sarko', is written over a horizontal line.

Lynn Lincoln Sarko (LS-3700)  
KELLER ROHRBACK L.L.P.  
1201 Third Avenue, Suite 3200  
Seattle, WA 98101-3052  
206-623-1900; 206-623-3384 (fax)

**CERTIFICATE OF SERVICE**

I, Mavis Bates, hereby certify that a true and correct copy of the foregoing DECLARATION OF LYNN LINCOLN SARKO is being served this date upon all involved parties by sending a copy of the same to all counsel of record by electronic notification or first-class mail, postage pre-paid.

Dated December 20, 2006.

By :   
Mavis Bates, Legal Assistant  
KELLER ROHRBACK L.L.P.  
1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
Tel: (206) 623-1900  
Fax: (206) 623-3384  
[mbates@kellerrohrback.com](mailto:mbates@kellerrohrback.com)